

### **REMARKS**

Claims 1-10 and 12-32 are pending in this application. Claim 11 has been canceled without prejudice or disclaimer to the subject matter included therein. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicant has amended the claims to more appropriately recite the claimed invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claim 31 under 35 U.S.C. §101; objected to claim 22; rejected claims 1, 3, 4, 7-10, 13, 23, and 26-32 under 35 U.S.C. §102(e) as being anticipated by Cortright (USP 6,828,989); rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over Cortright; rejected claims 2, 5, 6, 12, 15-17 and 24 under 35 U.S.C. §103(a) as being unpatentable over Cortright in view of Alexander (USP 6,988,128). Applicant respectfully traverses these rejections.

Applicant wishes to thank the Examiner for indicating that claims 18-22 and 25 include allowable subject matter.

### **Claim Objections**

The Examiner objected to claim 22 asserting it is an improper multiple dependent claim. In response to this objection, Applicant has amended claim 22 to depend from claim 19. Based on this amendment, it is respectfully requested that the outstanding objection be withdrawn.

### **Claim Rejections – 35 U.S.C. §101**

The Examiner rejected claim 31 asserting is directed to a computer program, *per se*, and therefore not statutory. By this amendment, Applicant has amended this claim to recite an

apparatus. Based on this amendment, it is respectfully requested that the outstanding rejection be withdrawn.

### **Claim Rejections – 35 U.S.C. §102**

In support of the Examiner's rejection of claim 1, the Examiner asserts that Cortright discloses all of the claim elements including the determining means, as follows:

...Cortright teaches... determining means ... (time dependent information elements or data objects...as time passes, and data objects are changed... the time strip is automatically and dynamically updated; col. 8, lines 1-17, and program modules used for dynamically displaying time dependent information or data objects using the dynamic linear time strips; col. 9, line 65-col. 10, line 2, and time strip display module; col. 10, lines 29-30).

Applicant respectfully disagrees that the teachings of Cortright are sufficient to teach or suggest at least this claim element.

The disclosure of Cortright is directed to a graphically represented dynamic time strip for displaying user-accessible time-dependent data objects. At col. 8, lines 2-23, Cortright discloses as follows:

A dynamic time strip according to the present invention is a linear graphical strip comprising graphical representations of time dependent information elements or data objects, from at least one data store, such as, for example, an application, an electronic database, or a separate program. These data objects may or may not include text or markers to indicate the time (i.e. second, minute, hour, day and/or date) along the length of the strip. The text or markers for indicating time along the time strip may be regularly spaced, or may be tied to each individual data object. Further, the indications of time may be implicit or explicit. As time passes, and data objects are changed, added or removed from the time strip, either automatically or through user interaction via a user interface, as described in detail below, the time strip is automatically and dynamically updated, again as described in further detail below, to reflect these changes along with showing the passage of time...

Further, at col. 9, line 65 through col. 10, line 30, Cortright discloses as follows:

FIG. 2 is a general system diagram illustrating program modules used for dynamically displaying time dependent information or data objects using the dynamic linear time strip...

In general, a system and process according to the present invention uses the program modules illustrated in FIG. 2 to automatically and dynamically display time dependent data objects from a data object database 210 by using a time strip display module 220 to dynamically display the data objects in the time strip on a conventional display device 230. The time dependent data objects are preferably maintained in the data object database 210, but in one embodiment, the time dependent data objects are automatically retrieved from one or more electronic data sources or databases 240 using conventional techniques.

Further, in one embodiment, a user interface 250 allows a user to manipulate time dependent data objects within the data object database 210, such as by editing existing data objects, entering new data objects, or deleting existing data objects using conventional techniques. ...

The time strip display module 220 retrieves the time dependent data objects from the data object database 210. The time strip display module 220 then sorts the data objects in order of time, i.e. sequentially, using any of a number of conventional sorting techniques. Next, the time strip display module 220 automatically and dynamically populates the time strip with the sequential data objects, and provides the populated time strip to the display device 230 for display.

As can be seen from this disclosure, Cortright discloses a time dependent data object that may be displayed on a time strip. The data object may be edited by the user. When displaying the time strip, the display module retrieves the time dependent data objects, sorts the objects and populates the time strip with the sequential data objects.

In contrast, the claimed invention requires determining means for **determining an element or procedure of an object from a plurality of elements or procedures of the object based on time information associated with the element or the procedure**, wherein each of the plurality of elements or procedures has associated therewith information related to time.

In accordance with the claimed invention, an object has more than one element or procedure associated with the object. The determining means determines and element or object based on time information.

However, based on the teachings of Cortright, at any one time, there is only one set of information associated with the object. Thus, when the time strip is displayed, the objects are sorted with respect to time, but there is only one set of information associated with each of the objects.

Thus, Applicant maintains that Cortright fails to anticipate claim 1 at least by failing to teach or suggest **determining an element or procedure of an object from a plurality of elements or procedures of the object based on time information associated with the element or the procedure** as claimed. For at least this reason, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-10 and 12-29 are allowable for the reasons set forth above with regard to claim 1 at least based on their dependency on claim 1.

Claim 30 recites, *inter alia*, **determining**, on an object of which element or procedure can be described at least on information related to time, **contents of the element or procedure of the object based on time information**; performing information processing based on the determined contents of processing; and performing adaptive information processing, by storing said object, managing operation and status, and changing contents of the element or procedure described in the object based on the time information; **wherein in the object to be processed by said information processing apparatus, different time-restricting condition may be imposed on every uniquely identifiable element or procedure defined in the object**, and said determining step includes the step of selecting an appropriate process at a time of applying the time information.

However, for similar reasons noted above with regard to claim 1, Cortright fails to teach or suggest determining, on an object of which element or procedure can be described at least on information related to time, contents of the element or procedure of the object based on time information, wherein in the object to be processed by said information processing apparatus, different time-restricting condition may be imposed on every uniquely identifiable element or

procedure defined in the object. As such, Applicant respectfully submits that claim 30 is not anticipated by Cortright. It is respectfully requested that the outstanding rejection be withdrawn.

It is further respectfully submitted that claims 31-32 similarly recite this claim element. Thus, Cortright fails to anticipate these claims for the reasons noted above with regard to claim 30.

### **Conclusion**

In view of the above amendment and remarks, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinnet Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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